### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:	)
Evy LUNDGREN-AKERLUND	) Group Art Unit: 1644
Serial No.: 10/553,226	) Examiner: Maher M. Haddad
Filed: February 6, 2006	) ) Confirmation No. 1992
For: MONOCLONAL ANTIBODY CAPABLE OF BINDING INTEGRIN ALPHA 10 BETA 1	) Confirmation No.: 8983 ) ) )
Commissioner for Patents P.O. Box 1450 Arlington, VA 22313-1450	
Sir:	

# DECLARATION UNDER 37 C.F.R. § 1.801-1.809 REGARDING DEPOSIT OF BIOLOGICAL MATERIALS

I do hereby declare and state that:

1. On information and belief, the Applicant has, under the provisions of the Budapest Treaty, deposited viable cultures of a hybridoma cell line, on February 4, 2003, at the Deutsche Sammlung von Mikroorganismen und Zellkulturen GmbH, Mascheroder Weg 1b, D-38124 Braunschweig, Germany. The deposited hybridoma cell line produces a monoclonal antibody that binds to the extracellular I-domain of integrin alpha 10. The accession number for this deposit is DSM ACC2583. Copies of the International Form, Receipt of Original Deposit, and Viability Statement are attached to this Declaration.

Application No. 10/553,226 Attorney Docket No. 10142.0005

- 2. On information and belief, the cultures were deposited under conditions which insure that access to the cultures will be available to persons determined by the Commissioner to be entitled thereto under 37 C.F.R. § 1.14 and 35 U.S.C. § 122.
- 3. Upon issuance of a patent on the above-identified patent application, or continuation applications thereof, any restriction as to the public availability of the deposits will be irrevocably removed, and the deposits will be replaced should the depository be unable to distribute a sample upon a proper request, during the enforceable life of the patent, or the period of five years after the last public request for the deposits, whichever period is longer.
- 4. The undersigned further declares that all statements made herein on his own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this document or any patent issuing thereon.

DATE:	
	Katarina Dahlenborg
	Cartela AB



DSMZ Mascheroder Weg 1 b D-38124 Braunschweig ,

Cartela AB BMC B12 221 84 Lund

Sweden

Ihr Zeichen / Your ref.

Unser Zeichen / Our. ref.

101.

Datum / Date

P039 03

254

vew@dsmz.de

2003-02-13

Re.: Deposit of microorganisms according to the Budapest Treaty

Enclosed please find our Receipt and Viability Statements for the strain

Cell culture mAb 365 - DSM ACC2583

and our invoice No. 2301051.

Sincerely yours,

Dr. Vera Weihs

DSMZ-Deutsche Sammlung von Mikroorganismen und Zellkulturen GmbH

V. Wels

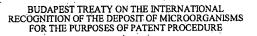
## BUDAPEST TREATY ON THE INTERNATIONAL RECOGNITION OF THE DEPOSIT OF MICROORGANISMS FOR THE PURPOSES OF PATENT PROCEDURE



### INTERNATIONAL FORM

Cartela AB.
BMC B12
221 84 Lund  RECEIPT IN THE CASE OF AN REGINAL DEPOSIT issued pursuant to Rule 7.1 by the INTERNATIONAL DEPOSITARY AUTHORITY identified at the bottom of this page
I. IDENTIFICATION OF THE MICROORGANISM
Identification reference given by the DEPOSITOR:  MAD 365  Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY:  DSM ACC2583
II. SCIENTIFIC DESCRIPTION AND/OR PROPOSED TAXONOMIC DESIGNATION
The microorganism identified under I. above was accompanied by:
(X). a scientific description ( ) a proposed taxonomic designation
(Mark with a cross where applicable).
IIL RECEIPT AND ACCEPTANCE
This International Depositary Authority accepts the microorganism identified under L above, which was received by it on 2003-02-04 (Date of the original deposit)!
IV. RECEIPT OF REQUEST FOR CONVERSION
The microorganism identified under I above was received by this International Depositary Authority on (date of original deposit) and a request to convert the original deposit to a deposit under the Budapest Treaty was received by it on (date of receipt of request for conversion).
V. INTERNATIONAL DEPOSITARY AUTHORITY
Name: DSMZ-DEUTSCHE SAMMLUNG VON MIKROORGANISMEN UND ZELLKULTUREN GmbH Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):
Address: Mascheroder Weg 1b D-38124 Braunschweig   6 Color C
Date: 2003-02-13

Where Rule 6.4 (d) applies, such date is the date on which the status of international depositary authority was acquired. Form DSMZ-BP/4 (sole page) 12/2001





#### INTERNATIONAL FORM

221 84 Lund Sweden	VIABILITY STATEMENT issued pursuant to Rule 10.2 by the INTERNATIONAL DEPOSITARY AUTHORITY identified at the bottom of this page
L DEPOSITOR	II. IDENTIFICATION OF THE MICROORGANISM
Name: Cartela AB BMC B12 Address: 221 84 Lund Sweden	Accession number given by the INTERNATIONAL DEPOSITARY AUTHORITY:  DSM ACC2583  Date of the deposit or the transfer <sup>1</sup> :  2003-02-04
III. VIABILITY STATEMENT  The viability of the microorganism identified under II above was tested on On that date, the said microorganism was  (x) <sup>3</sup> viable  ( ) <sup>3</sup> no longer viable	2003-02-04
IV. CONDITIONS UNDER WHICH THE VIABILITY TEST HAS BEEN PERI	
V. INTERNATIONAL DEPOSITARY AUTHORITY  Name: DSMZ-DEUTSCHE SAMMLUNG VON MIKROORGANISMEN UND ZELLKULTUREN GmbH  Address: Maschcroder Weg 1b D-38124 Braunschweig	Signature(s) of person(s) having the power to represent the International Depositary Authority or of authorized official(s):
	Date: 2003-02-13

Indicate the date of original deposit or, where a new deposit or a transfer has been made, the most recent relevant date (date of the new deposit or date of the transfer).

In the cases referred to in Rule 10.2(a) (ii) and (iii), refer to the most recent viability test.

Mark with a cross the applicable box.

Fill in if the information has been requested and if the results of the test were negative.

Form DSMZ-BP/9 (sole page) 12/2001

Cartela AB BMC B12